

**DECLARATION, POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "SOX-9 GENE AND PROTEIN AND USE IN THE REGENERATION OF BONE OR CARTILIAGE", the specification of which was filed as PCT International Application No. PCT/AU95/00799 on November 29, 1995 and was amended under PCT Article 34 on August 13, 1996;

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATIONS			
Number	Country	Date Filed	Priority Claimed
PM9714	AUSTRALIA	November 29, 1994	Yes
PM9835	AUSTRALIA	December 5, 1994	Yes

POWER OF ATTORNEY: I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith (if this application is assigned, I acknowledge that the appointed individuals do not represent me and that they represent the Assignee): Louis J. Knobbe, Registration No. 18,780; Don W. Martens, Registration No. 21,107; Gordon H. Olson, Registration No. 20,319; James B. Bear, Registration No. 25,221; Darrell L. Olson, Registration No. 28,247; William B. Bunker, Registration No. 29,365;

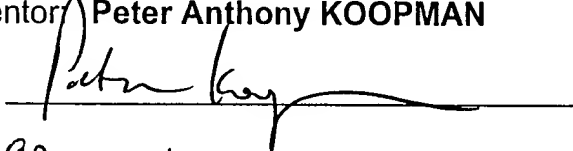
KNOBBE MARTENS OLSON & BEAR  
620 Newport Center Drive  
16th Floor  
NEWPORT BEACH CA 92660

William H. Nieman, Registration No. 30,201; Lowell Anderson, Registration No. 30,990; Arthur S. Rose, Registration No. 28,038; James F. Lesniak, Registration No. 25,240; Ned A. Israelsen, Registration No. 29,655; Drew S. Ham, Registration No. 29,801; Jerry T. Sewell, Registration No. 31,567; John B. Sganga, Jr., Registration No. 31,302; Edward A. Schlatter, Registration No. 32,297; Gerard von Hoffmann, Registration No. 33,043; Joseph R. Re, Registration No. 31,291; John M. Carson, Registration No. 34,303; Andrew H. Simpson, Registration No. 31,469; Daniel E. Altman, Registration No. 34,115; Anita M. Kirkpatrick, Registration No. 32,617; Ernest A. Beutler, Registration No. 19,901; Vito A. Canuso, Registration No. 35,471; William H. Shreve, Registration No. 35,678; Stephen C. Jensen, Registration No. 35,556; Steven J. Nataupsky, Registration No. 37,688; Michael H. Trenholm, Registration No. 37,743; AnneMarie Kaiser, Registration No. 37,649; Brenton R. Babcock, Registration No. 39,593; Nancy ways Vensko, Registration No. 36,298; Jonathan A. Barney, Registration No. 34,292; Ronald J. Schoenbaum, Registration No. 38,297; Richard C. Gilmore, Registration No. 37,335; John R. King, Registration No. 34,362; William S. Reimus, Registration No. 38,279; John P. Giezentanner, Registration No. 39,993; Frederick S. Berretta, Registration No. 38,004; Christopher A. Colvin, Registration No. 39,147; Richard Kim, Registration No. 40,046; Glenn R. Smith, Registration No. 38,380; Robert F. Gazdzinski, Registration No. 39,990; Yasua Muramatsu, Registration No. 38,684; Raimond J. Salenieks, Registration No. 37,924; R. Scott Weide, Registration No. 37,755; Renée E. Canuso, Registration No. 36,657; Guy L. Cumberbatch, Registration No. 36,114; Michael L. Fuller, Registration No. 36,516; and Neil S. Bartfeld, Registration No. 39,901.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first inventor **Peter Anthony KOOPMAN**

Inventor's signature



Date

22 May 97

Residence: **25 Annie Street, Torwood, Queensland, 4066, Australia**

Citizenship: **Australian**

Post Office Address: **Same as above**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Peter A. Koopman et al. Group: 1804  
Serial No.: 08/860,635 Examiner: D. Nguyen  
Filed: May 29, 1997 Docket: 10981  
For: SOX-9 GENE AND PROTEIN Dated:  
AND USE IN THE REGENERATION  
OF BONE OR CARTILAGE

Assistant Commissioner for Patents  
Washington, DC 20231

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)

Sir:

As Assignee of the entire interest in the above-  
identified application,

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

NEW POWER OF ATTORNEY

the following attorneys are hereby appointed to prosecute and  
transact all business in the Patent and Trademark Office  
connected therewith:

Stephen D. Murphy, Reg. No. 22,002; Leopold Presser, Reg. No. 19,827;  
William C. Roch, Reg. No. 24,972; Kenneth L. King, Reg. No. 24,223; Frank  
S. DiGiglio, Reg. No. 31,346; Paul J. Esatto, Jr., Reg. No. 30,749; John S.  
Sensny, Reg. No. 28,757; Mark J. Cohen, Reg. No. 32,211; Richard L.  
Catania, Reg. No. 32,608 and Donald T. Black, Reg. No. 27,999.

Send correspondence to:

Direct Telephone Calls to:

"Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530

Frank S. DiGiglio  
Registration No. 31,346  
(516) 742-4343

The subject application was assigned to The  
University of Queensland by Assignment recorded in the U.S.  
Patent and Trademark Office (PTO) on May 29, 1997, under Reel  
8633, Frame 361.

**ASSIGNEE CERTIFICATION**

Attached to this power is a "Certificate Under 37  
C.F.R. § 3.73(b)."

The University of Queensland  
Address: St. Lucia, Queensland 4072  
Australia

By:

Douglas Porter  
Signature

Date:

6/2/98

DOUGLAS PORTER

Type of print name of person  
authorized to sign on behalf  
of assignee

FSD/XZ:mgl

00010007-072001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Peter A. Koopman et al. Group: 1804  
Serial No.: 08/860,635 Examiner: D. Nguyen  
Filed: May 29, 1997 Docket: 10981  
For: SOX-9 GENE AND PROTEIN Dated:  
AND USE IN THE REGENERATION  
OF BONE OR CARTILAGE

Assistant Commissioner for Patents  
Washington, DC 20231

CERTIFICATION OF ASSIGNEE UNDER 37 C.F.R. § 3.73(b)

Sir:

The University of Queensland, a university  
(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, governmental agency, etc.)

certifies that it is the Assignee of the entire right, title  
and interest in the patent application identified above by  
virtue of:

An assignment from the inventor(s) of the patent  
application identified above. The Assignment was  
recorded in the Patent and Trademark Office at Reel  
8633, Frame 361.

The undersigned has reviewed all the documents in the  
chain of title of the patent application identified above and,  
to the best of the undersigned's knowledge and belief, title is  
in the Assignee identified above.

The undersigned (whose title is supplied below) is  
empowered to sign this certificate on behalf of the Assignee.

I hereby declare that all statements made herein of  
my own knowledge are true, and that all statements made on  
information and belief are believed to be true; and further,  
that these statements are made with the knowledge that willful

00010007 072004

false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The University of Queensland  
Address: St. Lucia, Queensland 4072  
Australia

By:

*Douglas Porter*

Signature

Date:

*6/2/98*

*DOUGLAS PORTER*

Type of print name of person  
authorized to sign on behalf  
of assignee

~~Title~~ **Secretary and Registrar**  
The University of Queensland

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

FSD/XZ:mgl

00010087.072001  
T00220.48001610